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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

TRANSMITTAL FORM <small>(to be used for all correspondence after initial filing)</small>		Application Number	10/737,389
		Filing Date	December 16, 2003
		First Named Inventor	En-Yi Liao
		Art Unit	2141
		Examiner Name	Serrao, Ranodhi N
Total Number of Pages in This Submission	4	Attorney Docket Number	10033.000400

ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
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<input type="checkbox"/> Reply to Missing Parts/ Incomplete Application	Remarks	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm	OKAMOTO & BENEDICTO LLP		
Signature			
Printed Name	Patrick D. Benedicto		
Date	May 9, 2007	Reg. No.	40,909

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Signature			
Typed or printed name	Patrick D. Benedicto	Date	May 9, 2007

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

En-Yi Liao

Application No.: 10/737,389 Examiner: Serrao, Ranodhi N

Filing Date: December 16, 2003 Art Unit: 2141

Assignee: Trend Micro Incorporated

Title: Technique for Intercepting Data in a Peer-to-Peer Network

Honorable Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

NOTICE OF APPEAL

Sir:

Submitted herewith is a notice of appeal. This is the second notice of appeal filed on this application. The first notice of appeal was filed by Applicant on February 15, 2006. The Board of Patent Appeals and Interferences ("Board") did not render a decision on the case from the first notice of appeal.

Applicant believes that he is entitled to the notice of appeal fee paid on February 15, 2006 because the Board did not render a decision from the first notice of appeal. Therefore, Applicant believes that a notice of appeal fee is not required for this second appeal brief.

If for any reasons additional fees are required, the Commissioner is hereby authorized to charge the insufficiency to Deposit Account No. 50-2427.

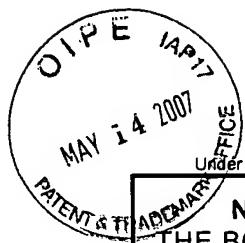
Respectfully submitted,
En-Yi Liao

Dated: May 9, 2007

Patricia Benedicto

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CERTIFICATE OF MAILING			
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Signature:	<i>Patricia Benedicto</i>		
Typed or Printed Name:	Patrick D. Benedicto	Dated:	5/9/2007
Express Mail Mailing Number (optional):			



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NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES		Docket Number (Optional) 10033.000400							
<p>I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on <u>May 9, 2007</u>.</p> <p>Signature _____</p> <p>Typed or printed name <u>Patrick D. Benedicto</u></p>	<p>In re Application of En-Yi Liao</p> <table border="1"> <tr> <td>Application Number 10/737,389</td> <td>Filed 12/16/2003</td> </tr> <tr> <td colspan="2">For Technique for Intercepting Data in a Peer-to-Peer Network</td> </tr> <tr> <td>Art Unit 2141</td> <td>Examiner Serrao, Ranodhi N.</td> </tr> </table>			Application Number 10/737,389	Filed 12/16/2003	For Technique for Intercepting Data in a Peer-to-Peer Network		Art Unit 2141	Examiner Serrao, Ranodhi N.
	Application Number 10/737,389	Filed 12/16/2003							
For Technique for Intercepting Data in a Peer-to-Peer Network									
Art Unit 2141	Examiner Serrao, Ranodhi N.								
<p>Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the examiner.</p> <p>The fee for this Notice of Appeal is (37 CFR 41.20(b)(1)) \$ _____</p> <p> <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: \$ _____ </p> <p> <input type="checkbox"/> A check in the amount of the fee is enclosed. </p> <p> <input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached. </p> <p> <input type="checkbox"/> The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet. </p> <p> <input checked="" type="checkbox"/> The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. <u>50-2427</u>. I have enclosed a duplicate copy of this sheet. </p> <p> <input type="checkbox"/> A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed. </p>									
<p>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p> <p>I am the</p> <p> <input type="checkbox"/> applicant/inventor. <input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96) <input checked="" type="checkbox"/> attorney or agent of record. Registration number <u>40,909</u>. <input type="checkbox"/> attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34. _____ </p> <p> Signature _____ <u>Patrick D. Benedicto</u> Typed or printed name _____ (408) 436-2110 Telephone number _____ </p> <p> Date _____ <u>May 9, 2007</u> </p>									
<p>NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.</p>									

*Total of 1 form is submitted.

This collection of information is required by 37 CFR 41.31. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.6. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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